

REMARKS

Claims 1, 2, 4 and 6-24 were pending in the application. Claims 1 and 20-24 have been amended. No claims have been canceled or added. Therefore, claims 1, 2, 4 and 6-24 are now pending in the application. Reconsideration of the application is requested for at least the reasons that follow.

Claims 21-24 have been amended to correct a minor typographical error in each claim.

Claim Objections

The Office Action objects to claim 20 for a minor informality. Claims 20 has been amended where appropriate. Reconsideration and withdrawal of the objection is respectfully requested.

Claim Rejections

Claims 1, 2, 4 and 6-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,533,770 ("Karlou") in view of U.S. Patent No. 5,951,046 ("Hosoda"). Reconsideration and withdrawal of the rejections is respectfully requested for at least the following reasons.

The rejection of amended claim 1 should be withdrawn at least because the references, taken together or separately, do not disclose, teach or suggest each and every element of claim 1. For example, Karlou and Hosoda fail to disclose, teach or suggest "at least one hook ... positioned on an edge of the opening," as called for in claim 1. The Office Action affirms that Karlou "fails to disclose a hook element that is used to secure the device prior to installation of the fastener." Office Action at p. 3. Hosoda does not cure the deficiencies of Karlou. Hosoda discloses locking portions 20 on a lower end 2c of an adjuster body 2. *See* Hosoda at col. 3, lines 53-62; and Fig. 14. However, the locking portion 20 is not "positioned on an edge of an opening in the retaining device," as recited in claim 1. Locking portion 20 is positioned on an edge of the adjuster body 2. Thus, Hosoda fails to cure the deficiencies of Karlou. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 2, 4 and 6-19 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

Independent claim 20 contains recitations similar to amended claim 1. For example, amended claim 20 calls for "at least one hook positioned on an edge of the first opening... and being bent out of the plane of the retaining device around a fold, wherein the fold extends in the same direction to a hook point." Thus, claim 20 is allowable for at least the reasons set forth above with regard to claim 1. Reconsideration and withdrawal of the rejection of claim 20 is respectfully requested.

Claims 21-24 depend from claim 20 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

Conclusion

Favorable reconsideration of the application, as amended, is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

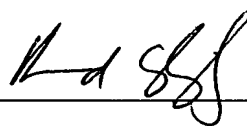
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

11/29/05

By



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